

Nov 29, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MISTY R.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:18-CV-3083-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 16. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Jeffrey Eric Staples represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. The ALJ shall: (1) reevaluate the evidence of record,

ORDER GRANTING STIPULATED MOTION FOR REMAND - 1

1 particularly the unaddressed medical opinions; (2) reevaluate Plaintiff's residual  
2 functional capacity, as necessary; and (3) reevaluate whether Plaintiff could  
3 perform any jobs existing in significant numbers in the national economy given her  
4 particular constellation of limitations. Plaintiff may present additional testimony  
5 and submit additional evidence.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is  
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees and costs may be filed by separate  
10 motion.

11 The District Court Executive is directed to enter this Order, forward copies  
12 to counsel, and **CLOSE THE FILE.**

13 DATED November 29, 2018.



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A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, representing the name John T. Rodgers.

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JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE